

# EXHIBIT

# 9

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

LEAGUE OF UNITED LATIN § 3:21-CV-00259-DCG-JES-JVB  
AMERICAN CITIZENS, ET AL §  
§  
V. § 8:58 A.M. TO 12:30 P.M.  
§  
GREG ABBOTT, IN HIS §  
OFFICIAL CAPACITY AS §  
GOVERNOR OF THE STATE OF §  
TEXAS, ET AL § JANUARY 27, 2022

HEARING ON MOTION FOR PRELIMINARY INJUNCTION  
AS TO SENATE DISTRICT 10  
BEFORE THE HONORABLE DAVID C. GUADERRAMA,  
HONORABLE JERRY E. SMITH  
AND HONORABLE JEFFREY V. BROWN  
VOLUME 6 (AM SESSION) OF 9 VOLUMES

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Transcript produced by computer-assisted transcription.

**VOLUME 6**  
**(HEARING ON MOTION FOR PRELIMINARY INJUNCTION**  
**AS TO SENATE DISTRICT 10 )**

**JANUARY 27, 2022**

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1 that corresponds to Page 37 of Defendants' Exhibit Number  
2 58.

3 MR. HILTON: Brian, if you would play that.

4 (Defendants' Exhibit Number 59 played, as follows:)

10:39:13 5 "MR. LEE: -- to the State, though.

6 "SENATOR HUFFMAN: Well, as I stated very  
7 clearly, these maps were drawn blind to race. And then I  
8 consulted with the Attorney General's office, and they  
9 gave me legal advice as to whether or not I had -- I had

10:39:28 10 complied with the Voting Rights, Section 2; and that's  
11 what we have done.

12 "We invite anyone -- because the data that they use is  
13 completely open to the public, we invite anyone to submit  
14 alternative maps.

10:39:43 15 "Do you have a map you would like for us to consider  
16 here today?

17 "MR. LEE: I do not.

18 "SENATOR HUFFMAN: Okay."

19 (Defendants' Exhibit Number 59 concluded)

10:39:47 20 BY MR. HILTON:

21 **Q.** Is that an accurate recording of your statements in  
22 the Senate hearing that day?

23 **A.** Yes.

24 **Q.** And do you recall who the person you are addressing  
10:39:55 25 is?

1 grants special protection to a minority group's rights to  
2 form political coalitions. So, again, we can interpret  
3 the law differently. I have been assured, I have studied  
4 it, that the maps are in compliance, and that we have  
11:26:39 5 followed the requirements under *Bartlett v. Strickland*."

6 **Q.** Thank you, Senator. Is that a substantively accurate  
7 transcription of your statements during that hearing?

8 **A.** Yes.

9 MR. HILTON: And again, Your Honors, the pause  
11:27:04 10 means I'm skipping some clips and trying to conclude here.  
11 I appreciate your indulgence.

12 BY MR. HILTON:

13 **Q.** All right. Senator Huffman, I'm going to ask you to  
14 read another one of your statements beginning on Page 65  
11:27:26 15 of the transcript --

16 **A.** All right.

17 **Q.** -- beginning at Line 22. This is in response to a  
18 question by Senator Menendez -- or at least that is what  
19 is reflected on the transcript -- regarding growth of  
11:27:43 20 minority population in the state. That's the context for  
21 what I'm asking you to read.

22 **A.** "Well, Senator Menendez, as you well know, I stated  
23 several times I drew blind to race; and we did preserve  
24 all the current both Black opportunity districts and  
11:27:58 25 Hispanic or Latino opportunity districts in the existing

1 plan.

11:28:11

2 "I have repeatedly said -- and I think I just said  
3 this to Senator Powell -- for any group to bring us  
4 something that we didn't see, anything -- excuse me,  
5 something we missed. We were more than willing to run a  
6 VRA analysis on that, which, in fact, we have done with  
7 everything submitted; and nothing submitted has indicated  
8 to us that another minority opportunity district is  
9 required to be drawn under the law.

11:28:28

10 "As you understand, of course, that it would be racial  
11 gerrymandering to just draw a map based on race unless  
12 there is a strong basis in evidence to believe the  
13 districting decision is required in order to comply with  
14 Section 2 of the Voting Rights Act."

11:28:46

15 **Q.** Thank you, Senator. Is that a substantively accurate  
16 transcription of your response to Senator Menendez's  
17 questioning during the floor debate?

18 **A.** Yes.

11:29:07

19 **Q.** Thank you. I'm going to turn to Page 71 of the  
20 transcript, a question from Senator Gutierrez beginning on  
21 Line 14. And I have just asked you to read a number of  
22 lengthy quotes. So I'll do this one.

11:29:24

23 "SENATOR GUTIERREZ: All right. And so if a plan  
24 splits fewer than 23 counties, would that be better or  
25 worse?